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From Bainton McCarthy LLC

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VIA FACSIMILE

Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

*I will not be here
August. You must
appear one
day next
week. Work
it out with
your
opponent*

Re: Bayou Management LLC v. Nichols, et al., 08-Civ-6036 (CM)
U.S. v. Israel III, 05-Cr-1039 (CM)

Dear Judge McMahon:

We are the attorneys for Robert B. Nichols and Ellen M. Nichols in the above-entitled proceedings. We write to request an adjournment of the case management conference scheduled for July 30, 2008 at 11:30 a.m.

On July 30, 2008, I will be defending a Court ordered deposition in *Fendi Adele S.R. L., et al. v. Burlington Coat Factory Warehouse Corp., et al.*, Case No. 06-Civ-0085, a case pending before Judge Leonard B. Sand and Magistrate Judge Michael H. Dolinger in this district.

We have contacted Gary J. Mennitt, Esq., counsel for Bayou Management LLC, and Assistant United States Attorney Sharon Cohen Levin, Esq. and obtained their consents for this request. All parties are available on August 4, 5, and 6, 2008. There have been no previous requests for adjournment of this conference.

We respectfully request that the Court adjourn the case management conference to a date convenient for the Court on August 4, 5, or 6, 2008.

With best regards, I am,

Respectfully yours.

J. Joseph Bainton / DDA
J. Joseph Bainton

cc: Gary J. Mennitt, Esq.
Sharon Cohen Levin, Esq.

Ellen M. Nichols
7/25/08